



UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

MARK G. SWARTZ and BETH M.
SWARTZ,

Case No.: 5:09-cv-01927-SVW-FFM
5:09-cv-02197-SVW-FFM

Plaintiffs,

Hon. Stephen V. Wilson

V.

[PROPOSED] JUDGMENT

HOMEQ SERVICING, OLD
REPUBLIC DEFAULT
MANAGEMENT SERVICES; and,
DOES 1through 20, inclusive ,

Defendants

Courtroom: 6

Priority _____
Send _____
Enter _____
Closed _____
~~JS-5/JS-6~~ _____
JS-2/JS-3 _____
Scan Only _____

On June 21, 2010, this matter came before the Court, the Honorable Stephen V. Wilson, presiding, on Defendant Barclays Capital Real Estate, Inc.'s Motion for Summary Judgment or in the Alternative for Summary Adjudication of the Issues as to the Claim for Breach of Written Contract and the Claim for Cancellation of the Notice of Default and Notice of Trustee's Sale ("Motion"). All appearances were made as noted on the record. After considering the arguments and pleadings presented, the Court hereby grants Defendant Barclays Capital Real Estate, Inc.'s Motion as to claim for Breach of Written Contract and the claim for Cancellation of the Notice of Default and Notice of Trustee's Sale.

111

111

1 **IT IS SO ORDERED AND ADJUDGED** that Plaintiffs take nothing
2 against Defendant Barclays Capital Real Estate, Inc. dba HomEq Servicing, that
3 judgment be entered in favor of Defendant, that the action be dismissed on the
4 merits and that Defendant recover costs.

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

DATED: 7/27/10



The Honorable Stephen V. Wilson
United States District Court Judge